

IN THE SENATE OF THE UNITED STATES.

MARCH 1, 1858.—Ordered to be printed.

Mr. CLAY made the following *adverse*

**REPORT.**

[To accompany Bill H. R. No. 14.]

*The Committee on Commerce, to whom was referred (H. R. 14) "An act to authorize the Secretary of the Treasury to issue a register or enrolment to the vessel called the James McIndoe, now owned by Thomas Coatsworth, James G. Coatsworth, and William Coatsworth, of Buffalo, New York," have had the same under consideration, and report as follows:*

That, for reasons set forth in a letter from the Treasury Department, (which they present as part of their report,) it is the opinion of the committee that the petition should not be granted, as it would be establishing an impolitic precedent, and would be rendering the government of the United States liable and accountable for any malfeasance on the part of any officer of the customs. The committee, therefore, report against the bill, and beg leave to be discharged from the further consideration of the subject.

TREASURY DEPARTMENT,  
February 20, 1858.

SIR: I have the honor to acknowledge the receipt of your letter of the 3d instant, enclosing "An act to authorize the Secretary of the Treasury to issue a register or enrolment to the vessel called the James McIndoe, now owned by Thomas, James G., and William Coatsworth," with the accompanying paper, and, in reply to your request for any information on the subject in the possession of the department, and its views in regard to the expediency of the proposed measure, to inform you that a practice formerly existed in the district of Buffalo allowing scows and canal boats built in Canada to be introduced there on the payment of duties as manufactured lumber, some of which boats were afterwards engaged in the coasting trade. The case in question was one of this description, and admitted to entry by the deputy collector at Black Rock. As soon, however, as the collector of the cus-

toms for the district heard of the transaction he caused the entry to be cancelled, the duties to be refunded, and notified the parties that the boat in question could not be permitted to ply as an American vessel, and the action of the collector was approved by this department.

In view of the policy of existing laws which forbid, except in certain cases, foreign built vessels from receiving American marine papers, the department cannot recommend the proposed measure.

The act and accompanying paper are herewith returned.

Very respectfully, your obedient servant,

HOWELL COBB,  
*Secretary of the Treasury.*

Hon. C. C. CLAY, Jr.,

*Chairman of Committee on Commerce, U. S. Senate.*